



Growth Management House Bill 7127 by Representative Hukill Senate Bill 360 by Senator Bennett

- Helps to recharge our economy by streamlining the growth management process while maintaining safeguards for environmental protection.
- This is a commonsense approach to create incentives that will promote responsible development in urban areas, thereby reducing sprawl.
- Strikes a balance between state and local control of growth management by retaining state regulatory oversight of planning and development processes, while recognizing the role and responsibility of local elected officials to make land use decisions in the best interests of their local community.

The Local Government Comprehensive Planning and Land Development Regulation Act - also known as Florida's Growth Management Act - requires all of Florida's 67 counties and 410 municipalities to adopt Local Government Comprehensive Plans to guide future growth and development. Comprehensive plans contain chapters or "elements" that address future land use, housing, transportation, infrastructure, coastal management, conservation, recreation and open space, intergovernmental coordination and capital improvements.

House Bill 7127 amends the Growth Management Act to streamline the process, encourage urban infill and increase local control. The bill retains state regulatory oversight of planning and development processes, while recognizing the role and responsibility of local elected officials to make land use decisions. It establishes state policy that, maybe for the first time ever, creates incentives that will promote development in urban areas. By removing regulatory barriers and streamlining the review process, the policy set forth in this bill creates an opportunity to change the paradigm – to allow urban centers to prosper, to reduce urban sprawl and to recognize the needs of our rural communities.

Bill Details

- **Relieves pressures of transportation concurrency requirements.** Transportation concurrency is a growth management strategy intended to ensure that transportation facilities and services are available “concurrent” with the impacts of development.
 - Designates transportation concurrency exception areas (TCEA) in dense urban land areas. TCEA is intended to reduce the adverse impact transportation concurrency may have on urban infill and redevelopment by exempting certain areas from the concurrency requirement. These areas include:
 - Cities that have an average population of at least 1,000 people per square mile and at least 5,000 people total;
 - Urban service areas in counties, including cities within the county, that have an average population of at least 1,000 people per square mile; and

- A county, including cities within the county, that have a population of at least 900,000 but does not have a designated urban service area
 - Other transportation exception areas may be designated at the discretion of local governments.
 - Job creation projects certified by the Office of Tourism, Trade and Economic Development may have concurrency waived.
 - Provides guidance to the Department of Community Affairs (DCA) and the Department of Transportation to perform mobility fee studies, and requires reporting and recommendations to the Legislature for next session.
- **Streamlines state review of local comprehensive plans.**
 - Expands the pilot alternative state review process to any local government for comprehensive plan amendments designating urban service areas.
 - Allows zoning changes to be considered concurrent with plan amendments.
 - Allows rural communities and counties designated as rural areas of critical state concern by the Governor to factor into their land use decisions the need for job creation, capital investment and the need to strengthen and diversify their local economy, rather than being limited solely by the projected population.
 - Provides additional exemption to the twice per year plan amendment requirement for plan amendments that designate an urban service area as a TCEA and amendments for areas that are exempt from the development of regional impact (DRI) process.
- **Provides more realistic timelines and requirements for school concurrency and financial feasibility**
 - Extends the date to comply with financial feasibility requirements from December 1, 2008 to December 1, 2011.
 - Removes the penalty for failing to adopt school concurrency.
 - Expands the small county waiver for school concurrency.
 - Clarifies that charter schools are an acceptable form of mitigation for school concurrency.
- **Extends state and local permits for two years due to economic hardships.**
- **Exempts developments from the DRI process in dense urban land areas (same as TCEAs).**
- **Removes the 90 day notice requirement for local governments to decrease, suspend or eliminate an impact fee.**
- **Does not sunset or change the DCA organizational structure in any way.**